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WINPAC JCS FOR J5/DDGSA, SECDEF FOR OSD(P)/STRATCAP, NAVY
FOR CNO-N5JA AND DIRSSP, AIRFORCE FOR HQ USAF/ASX AND ASXP,
DTRA FOR OP-OS OP-OSA AND DIRECTOR, NSC FOR LOOK, DIA FOR
LEA

E.O. 12958: DECL: 09/21/2019

TAGS: KACT MARR PARM PREL RS US START
SUBJECT: START FOLLOW-ON NEGOTIATIONS, MOSCOW (SFO-MOSCOW):
(U) PLENARY MEETING, OCTOBER 13, 2009

Classified By: A/S Rose E. Gottemoeller, United States START Negotiator
. Reasons: 1.4(b) and (d).

¶1. (U) This is SFO-MOS-002.

¶2. (U) Meeting Date: October 13, 2009
Time: 4:10 P.M. - 6:10 P.M.
Place: Ministry of Foreign Affairs, Moscow

SUMMARY

¶3. (S) The second meeting of the START Follow-on (SFO) delegations was held at the Ministry of Foreign Affairs in Moscow, Tuesday, October 13, 2009. A/S Gottemoeller and Amb Antonov shared their view of the day's meetings at the Ministerial level, having earlier that day participated in the discussions. Antonov said that the SFO Treaty discussions were among the most active, with both Ministers confirming their utmost interest in having the treaty ready by December 5, 2009. Gottemoeller agreed, saying that the ministers now had a clear sense of the fundamental differences and it was important that they had discussed these differences face to face.

¶4. (S) The U.S. delegation presented a detailed discussion of the U.S. approach to the counting rules as described in Article III of the U.S.-proposed SFO Treaty with a focus on the treatment of deployed and non-deployed ICBM and SLBM launchers and on the counting of nuclear armaments for heavy bombers. A lively discussion of how the U.S. envisioned counting non-deployed launchers and non-deployed SLBMs ensued. The Russian delegation also raised the issue of similarities between the mobile ICBM force and the mobile SSBN forces, and posed questions on the U.S. proposal for applying different approaches for counting bomber armaments as compared to ballistic missile warheads.

¶15. (S) The Russian delegation also raised the issue of signing the JCIC Agreement on Principles and Procedures for Completion of Continuous Monitoring at Votkinsk, and the Associated Letters, saying that the Russian JCIC Representative was prepared to sign the documents on Wednesday. The U.S. delegation noted that there had been some errors in the text and it was completing the conforming of the text. Gottemoeller said that she believed that it would be better to sign the documents in Geneva. Antonov agreed.

Delegations Report on Ministerial

¶16. (S) Gottemoeller began by noting that she had just received an email from Washington saying that a 24-hour news radio station was already reporting that Minister Lavrov and Secretary Clinton had made significant progress in the START negotiations. Even as our colleagues in Washington were driving to work, they were hearing that there was significant progress.

¶17. (S) Antonov thanked Gottemoeller and asked if he might give a briefing on the meetings that day of the Ministers. Gottemoeller agreed, commenting that she had already briefed her delegation and that it would be an opportunity to compare notes. Antonov began by saying that the START issue was one of the most active issues on the agenda. The Ministers had confirmed their utmost interest to have the

treaty ready by December 5, 2009. Minister Lavrov had noted three problems. The first was the interrelationship of strategic offensive and strategic defensive arms. The second was the concern about ICBMs and SLBMs in a non-nuclear configuration and their impact on strategic stability. The third was the very intrusive verification mechanism proposed by the United States. Antonov said that Secretary Clinton had confirmed her readiness to reach agreement on a new treaty by December 5, noting that there should be no restrictions on defensive arms and that this treaty was devoted only to strategic nuclear arms.

¶18. (S) Antonov said that Lavrov responded to this point, saying he remembered a statement by President Medvedev that the new treaty was being elaborated in the absence of the ABM Treaty and spoke in detail on the influence of ICBMs and SLBMs in a non-nuclear configuration on strategic stability.

¶19. (S) Antonov then commented that Russia had never asserted it would solve the ABM problem in the SFO. Russia just wanted to establish the interrelationship between strategic offensive and strategic defensive arms and highlight the impact that development of strategic defensive arms had on strategic stability. At the previous day's meeting between Minister Ryabkov and U/S Tauscher, the talks about implementing the missile defense statement from the July 2009 Moscow summit had resumed. The Russian delegation believed it was up to that group to solve those issues.

¶10. (S) Antonov next raised an issue that he wanted communicated to Washington. Lavrov had spoken about a draft law in the U.S. Congress that would not allow the U.S. START delegation to accept any provision in the SFO Treaty that would limit missile defenses. The law also prohibited the new treaty from containing any limits on the non-nuclear configuration of ICBMs or SLBMs. This was troublesome.

¶11. (S) Gottemoeller said that she had a similar view of the outcome of the meeting between the two Ministers. She had three quick points to add to what Antonov had said. First, the Ministers now had a clear sense of the fundamental differences. They had received briefings from their experts, but now they had held face-to face

discussions about those differences. Second, Gottemoeller's understanding was that the legislation about which Antonov had spoken was being proposed as a "sense of the Congress" resolution and would not be legally binding. However, the Administration would have to take it into account. Third, Gottemoeller liked one of Minister Lavrov's comments and she wanted to quote it as best she could from her notes. Lavrov had said that he was urging the delegation to do everything possible to meet the deadline. He said the main thing was to reach agreement. It was not a matter of you give, and I take, but let's reach agreement in our mutual interests and also to enhance strategic stability. Antonov said that he was grateful for Gottemoeller's accurate report of Lavrov's words.

U.S. Counting Rules Take Center Stage

¶12. (S) Turning to the agenda item, Gottemoeller began by providing an unofficial Russian translation of the U.S. paper on points in the U.S.-proposed treaty text that had been left out of the Russian version of the treaty. At this point, Gottemoeller gave the floor to Dr. Warner, who provided a presentation on the U.S. counting rules as envisioned by the U.S.-proposed treaty.

¶13. (S) Begin points:

Counting Rules Issues from Article III

Overview:

-- The counting rules proposed by both the U.S. and Russian sides in Article III of the draft SFO Treaty have much in common. Both sides propose similar procedures for counting deployed ICBMs, deployed SLBMs and deployed heavy bombers. Both propose similar approaches for counting the number of reentry vehicles mounted on deployed ICBMs and deployed SLBMs. There is, however, a very significant difference, as I will discuss in detail, regarding the identification and counting of the nuclear armaments for deployed heavy bombers.

-- The two sides also treat ICBM and SLBM launchers differently. The U.S. side speaks in terms of a "deployed ICBM and its associated launcher" and a "deployed SLBM and its associated launcher" and proposes a separate limit on non-deployed mobile launchers of ICBMs. The Russian side proposes a new aggregate limit on deployed and non-deployed ICBM and SLBM launchers.

-- The U.S. approach that links deployed ICBMs and SLBMs with their associated launchers includes a "considered to contain" provision in Paragraph 3 of Article III of the U.S.-proposed treaty text. This provision facilitates the brief removal of ICBMs and SLBMs from their associated launchers for maintenance purposes without requiring notification of a change in the number of ICBMs or SLBMs deployed. This "considered to contain" provision is in the START Treaty. The Russian approach for defining when an ICBM or SLBM is "deployed," that is when it is emplaced within its launcher, raises questions about whether even "temporary" removal of an ICBM or SLBM from its launcher would require notification of a change in the overall count of deployed missiles.

-- The Russian side's separate limit on ICBM and SLBM launchers explicitly includes both deployed and non-deployed launchers. The Russian side acknowledges possession of a substantial number of non-deployed mobile launchers for ICBMs, but has not indicated that it has any other non-deployed ICBM or SLBM launchers. The U.S. has not indicated that it has any non-deployed ICBM or SLBM launchers under START and has no plans to have such launchers under START Follow-on. Although the SLBM launchers in the two SSBNs that are in the extended

refueling overhaul status could be characterized as "non-deployed." Consequently, the U.S. side questions the utility of the separate limit on ICBM and SLBM launchers on several grounds including the fact that, with the exception of mobile launchers for ICBMs, the deployed ICBM and SLBM launchers on both sides can be readily limited within the ballistic missile component of the aggregate limit on strategic delivery vehicles.

Counting Heavy Bomber Armaments:

-- The U.S. and Russian positions set forth in their respective START Follow-on (SFO) draft treaties and associated protocols differ sharply regarding nuclear warhead counting for deployed heavy bombers and the

inspections of heavy bomber armaments. Both sides propose that each deployed heavy bomber count as one against the aggregate ceiling for strategic delivery vehicles. However, there are important disagreements regarding the procedures for counting heavy bomber armaments against the strategic nuclear warhead limit and for the inspection procedures to confirm the numbers and types of these armaments.

-- The U.S. proposes that long-range nuclear ALCMs (LRNA) and nuclear armaments for heavy bombers other than LRNA that are located both on any deployed heavy bombers and in nuclear armaments weapons storage areas associated with the air bases where heavy bombers are deployed, would be counted and applied against the aggregate ceiling on nuclear warheads set forth in Article II of the draft SFO Treaty.

-- According to the Russian draft treaty, only those nuclear armaments actually loaded on deployed heavy bombers would be counted against their proposed limit on warheads for deployed ICBMs, deployed SLBMs, and deployed heavy bombers.

-- The logic behind Russia's proposed counting approach is straightforward and directly mirrors the approach both sides apply to calculating the number of strategic nuclear warheads deployed on ICBMs and SLBMs. That is, it calls for counting only those nuclear warheads that are actually mounted on a strategic delivery vehicle (SDV).

-- Nevertheless, if adopted, it would have significant ramifications for the counting of strategic nuclear warheads under SFO. Russia's proposal would effectively omit heavy bomber warheads from both sides' aggregate numbers of nuclear warheads. Neither Russian nor U.S. bombers are on day-to-day alert during peacetime with the aircraft fueled, nuclear weapons on board, and crews standing by for rapid take-off. Thus, no nuclear armaments are loaded on either side's heavy bombers except possibly during infrequent training activities.

-- The nuclear armaments for the heavy bombers on both sides are stored on or very near the bomber base and could be uploaded onto the bombers within a matter of several hours. The up to 70 bombers the Russians are likely to retain under SFO could carry several hundred nuclear weapons although the number to be maintained for the bomber force within the SFO overall nuclear warhead limit will likely be lower. A U.S. SFO-compliant force of roughly 100 bombers could also carry several hundred weapons, but is likely to deploy a much smaller number within the overall nuclear warhead limit.

-- Consequently, the Russian approach for counting bomber armaments would create a highly inaccurate picture of the heavy bomber capabilities of both sides. Bomber armaments would essentially be counted as zero for each side no matter how many nuclear bombs and LRNA were available for carriage in nearby weapons storage areas. This would create a strange picture in which both the U.S. and Russia would likely field 70-100 deployed heavy bombers under SFO

yet would proclaim that there are no nuclear armaments associated with these bombers.

-- The second heavy bomber nuclear armaments issue relates to the U.S. proposal to inspect the nuclear armaments weapons storage areas supporting heavy bombers. These storage areas would be inspected during nuclear warhead

inspections (NWIs), which the Russian draft treaty simply labels "inspections," at heavy bomber bases.

-- The U.S.-proposed Inspection Protocol calls for inspectors to examine both the deployed heavy bombers themselves and the nuclear armament weapons storage areas associated with heavy bomber bases to confirm the numbers of nuclear armaments associated with the heavy bombers deployed at the given heavy bomber base.

-- The Russian proposal on bomber warhead counting would have inspectors simply inspect the deployed heavy bombers at the base to count the number of nuclear armaments that are loaded on the Blackjack or Bear H bombers at the base. Given the traditional practice of not keeping their bombers in a weapons-loaded alert status, this number will almost certainly be zero.

-- In order to implement its proposal, the U.S. side is fully prepared to permit Russian inspectors to count the number of LRNA and gravity bombs loaded on heavy bombers and stored in the nuclear armaments weapons storage areas on its bases for deployed heavy bombers to confirm the number of nuclear armaments associated with U.S. heavy bombers.

-- The Russian side has consistently reported under START that it's Bear H and Blackjack heavy bombers carry only LRNA. The Russian side has also indicated in discussions within the MOU Working Group that this will continue to be the case under START Follow-on.

-- Consequently, inspections of the nuclear armaments weapons storage areas at heavy bomber bases to confirm the numbers of LRNA available for the bombers deployed at those bases would be both necessary and sufficient to confirm the number of nuclear warheads specified for those bombers in accordance with the bomber armaments counting rule proposed by the U.S. side.

End points.

¶14. (S) Warner closed by saying that there were a number of smaller differences among the sides regarding the Article III provisions of the draft treaty. However, he did not intend to cover those today as they would be covered by the Treaty Text and Definitions Working Group in Geneva.

¶15. (S) Antonov thanked the U.S. delegation for the very detailed presentation as it would help the Russian delegation better understand the U.S. approach. After the delegation had completed it's analysis of the U.S. paper, it would think how to combine the two approaches.

Russian Delegation Has Questions

¶16. (S) Gen Poznihir remarked that, while Warner had made the comment that the United States was not planning to limit the number of ICBM and SLBM launchers, Warner had also stated that the United States planned to limit launchers. Warner responded that this must have been a misunderstanding, because deployed missiles and launchers were captured under the aggregate limit: the U.S. proposal included deployed ICBMs and SLBMs "and their associated launchers," while the Russian proposal contains only deployed ICBMs, SLBMs, and heavy bombers under the

aggregate limit; the launcher limit is a separate limit in the Russian text. Poznihir countered that this additional limit will cover ICBMs and SLBM launchers. Warner commented that the Russian limit captured both deployed and non-deployed launchers.

¶17. (S) Mr. Smirnov, referring to Article III, subparagraph 3(c), noted that Warner had spoken about the phrase "considered to contain," with respect to SLBM launchers, and that this, according to the U.S. draft SFO Treaty, apparently meant that an SLBM located at a conversion or elimination facility should still be considered to be an SLBM contained in its launcher. However, this was not the same treatment given to ICBMs, as was reflected in the preceding subparagraph, and he asked for an explanation of the difference. Warner noted that these two provisions had been taken directly from START, which did, in fact, treat ICBMs and SLBMs differently when removed from their launchers, and he said that he would review this distinction to determine whether it was still needed in the new treaty. Smirnov then asked about the treatment of Peacekeeper and Minuteman launchers located at test ranges. Warner responded that, in the U.S. approach, such launchers had not been previously characterized as non-deployed launchers, although mobile launchers of ICBMs at test ranges would be considered to be non-deployed. Smirnov responded that, under the new treaty which limits warheads on deployed missiles, and where there could be large numbers of non-deployed launchers that are not carrying missiles, it is not just mobile launchers that are affected but all launchers. Warner answered that the U.S. side agreed that those other types of launchers can be limited, but they were not gathered together under a "non-deployed launcher" category in the U.S. proposal.

¶18. (S) MG Orlov stated that he was interested in discussing several limitations on mobile launchers included in the U.S. text. Recalling that the Russian side had previously noted the similarities between mobile ICBM launchers and U.S. ballistic missile submarines, he commented that it was clear that the U.S. side had not yet been convinced of the similarity. Warner responded that the two delegations needed to continue talking about this issue, but pointed out that there are significant differences between mobile ICBMs and SSBNs. SSBNs are large ships, and it is virtually impossible for one side to have an SSBN that the other side is unaware of. The point is that both sides know the specific size of the other's SSBN force, but mobile launchers pose a different problem: while quite large, they are readily hidden using cover and concealment, which is a key to their survivability in the field. Warner noted that a recent article by a Russian Strategic Rocket Forces commander had described how hard it was to detect Russian mobile ICBM launchers, and, while this is good from a strategic stability perspective, it did raise the question of how many mobile launchers each side had. Continuing, he claimed that it was in recognition of this reality that Soviet and U.S. negotiators developed a whole set of procedures in START to cover mobile ICBMs from "birth to death." Warner said that the U.S. side was prepared to discuss this issue in greater depth in Geneva and to look at the appropriate combination of limitations and constraints needed for mobile ICBMs, noting, however, that it was impossible to imagine a covert force of SSBNs, but it is not so impossible to consider that possibility for mobile ICBMs.

¶19. (S) MG Orlov responded that he could give many reasons why SLBMs were more dangerous than mobile ICBMs. He

remarked that the United States does not even declare where its SSBNs are, even in what ocean. Poznihir noted that on a single submarine there were more warheads than contained on all of Russia's mobile ICBM launchers. Thus, submarines posed a threat well beyond that posed by mobile ICBMs. Warner responded that it was obviously true that a single SSBN carried many warheads due to the large number of launch tubes on the largest SSBNs and their containing

SLBMs with a substantial number of multiple warheads. With the Russian Typhoon SSBN, if it were still operational today, there would be a very large number of warheads on a Russian SSBN as well. Still, there are a small number of SSBNs compared to a large number of mobile ICBM launchers. He noted too that the new mobile ICBM about to be deployed by the Russian Federation would be MIRVed, and even though the number of warheads carried by the Russian mobile ICBM force in the future would certainly be lower than that carried on the U.S. SSBNs, the deployment of this new MIRVed mobile ICBM, nevertheless, indicated that an additional increment of covertly deployed Russian mobile ICBMs could have significant impact.

¶20. (S) Poznahir asked why the U.S. side did not want to limit the overall number of ICBM and SLBM launchers. Warner responded that the United States believed that deployed launchers were effectively limited by the limit on strategic delivery vehicles. Concerning non-deployed launchers, the United States preferred the approach of having specific limits on certain categories. MG Orlov remarked that, again, the United States was returning to the issue of mobile ICBMs. Warner noted that test launchers at test ranges would also be limited in number. Mr. Novikov observed that, since Warner had claimed that the Russian approach to counting rules was understandable and logical, why didn't the United States adopt the Russian approach for heavy bomber armaments. Novikov also asked about the time that would be required to load the nuclear armaments on heavy bombers. Warner responded that counting the actual number of warheads on ICBMs and SLBMs reflected the number that the sides would have in peacetime and during crisis and even conflict. It was the U.S. belief that the number of nuclear armaments stored at nuclear armament weapons storage areas also represented the number of weapons readily available in crisis or in conflict. The key difference was that bomber forces could be loaded rapidly on short notice. In the case of ICBMs and SLBMs, it would take many days even several months to add warheads to the force of missiles. And submarines cannot be re-loaded at all unless they return to port, which is unlikely in time of serious crisis or conflict. Warner admitted that he could not deny that additional warheads could be loaded on strategic delivery systems that had been loaded with more than that number of warheads previously, but, he stressed, the very purpose of this treaty and its verification system was to encourage the sides to reduce the number of warheads, and the verification system being developed would assure the other side that the lower number falling within the limits of the treaty was the number of warheads that was actually deployed on such missiles.

¶21. (S) Novikov asserted that he had thought that this objective had already been fulfilled with respect to heavy bombers, since heavy bombers are no longer equipped with nuclear armaments. Warner responded that, as a young SAC officer at the time of the Cuban Missile Crisis, he recalled that all U.S. heavy bombers had been brought to operational alert status. However, for almost 20 years, the United States has not maintained this loaded, alert

status for its heavy bombers on a day-to-day basis, and it was fortunate that there had been no crises since that time that had required a return to such alert status. He stressed that the United States does not want to place its heavy bomber force back on operational alert just to ensure an accurate count of its heavy bomber armaments, and the United States does not want to encourage the Russian side to do so either. In any event, there needs to be a way within SFO to more accurately reflect the number of armaments that could be on heavy bombers.

¶22. (S) At this point Antonov said that the meeting needed to come to an end, but he recognized that this had been one of the most interesting discussions we had had during our negotiations. He said that this discussion would continue on the next day and that the Russian side would have more

questions.

¶23. (S) On a different note, Antonov said that an important matter needed to be finalized tomorrow between Mr. Koshelev and Mr. Taylor. As far as he knew, the necessary documents to support actions needed to close down the U.S. monitoring activity at Votkinsk were prepared and ready for signature. Jokingly, Antonov said that he would need to arrange for the signing room and the press cameras, as Mr. Taylor would want to ensure this was done correctly.

¶24. (S) Gottemoeller said that she believed that there remained a number of issues that still needed to be resolved with regard to the Votkinsk documents and that they would not be ready the next day. Antonov asked when the documents would be ready and Gottemoeller said they would be ready for signing in Geneva. Antonov agreed.

¶25. (S) Observing that the United States and Russia had not talked much about such topics in recent years, Gottemoeller recalled the relationship between crisis stability and mutual deterrence. While the two sides could agree that today there is a very different situation than there was during the Cold War, under current circumstances, mutual deterrence still remains. Thus, she would conclude this day's discussions by noting that a different tack had been taken by the two sides in developing systems that contribute to crisis stability by being hard to target: Russia chose to create mobile missiles, while the United States placed emphasis on submarines. This was based on their respective histories, Russia as a great land power, and the United States as a great sea power. These different legacies are evident, and are a reality to be dealt with in the negotiations.

¶26. (S) After the meeting closed, Koshelev, Kotkova, and Smirnov all approached Brown wanting to know what was the cause of the delay in signing the Votkinsk-related documents. Smirnov claimed that unless the signing was completed on the following day, he would be unable to issue the appropriate orders to Votkinsk because he could not do so from Geneva. Kotkova then showed Brown the final documents in Russian, noting that she had already inserted the following day's date in all of them, along with the place of signature identified as Moscow. Brown recalled that on the previous day he had found a number of errors in the Russian texts and, although Kotkova had assured him that they had been corrected, it was the practice of the sides to sit down for a final read-through before deciding that the texts were ready for signature, and this had not been done.

¶27. (U) Documents exchanged:

U.S.:

--U.S. Non-Paper, dated October 13, 2009; Listing by Article of Provisions Proposed by U.S. and Omitted by Russia.

¶28. (U) Participants:

U.S.

A/S Gottemoeller
AMB Ries
Mr. Brown
Mr. Elliott
Ms. Friedt
Mr. Taylor
Mr. Trout
Dr. Warner
Mr. Katsakis
Mr. Sobchenko(Int)
Dr. Hopkins (Int)

RUSSIA

Amb Antonov
Mr. Koshelev
Ms. Furzhenkova
Mr. Ivanov
Ms. Ivanova
Col Izrazov
Ms. Kotkova
Mr. Kuznetsov
Mr. Leontiev
Mr. Luchaninov
Mr. Malyugin
Col Novikov
Gen Orlov
Mr. Pishchulov
Gen. Poznihir
Mr. Smirnov
Amb. Streletsov
Mr. Trifonov
Mr. Venevtsev
Mr. Vorontsov
Mr. Yermakov
Ms. Zharkikh
Ms. Komshilova (Int)

¶29. (U) Gottemoeller sends.
Beyrle